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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,546	04/25/2005	Bernie Volz	P16816-US2	7325
27045	7590	01/22/2008		
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR 1-C-11 PLANO, TX 75024			EXAMINER BRUCKART, BENJAMIN R	
			ART UNIT	PAPER NUMBER
			2155	
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			01/22/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/510,546	<b>Applicant(s)</b> VOLZ ET AL.	
	<b>Examiner</b> Benjamin R. Bruckart	<b>Art Unit</b> 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 November 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 98,99 and 105 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 98,99 and 105 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **Detailed Action**

Claims 98-99, 105 are pending in this Office Action.

The claims and only the claims form the metes and bounds of the invention. "Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969)" (MPEP p 2100-8, c 2, I 45-48; p 2100-9, c 1, I 1-4). The Examiner has full latitude to interpret each claim in the broadest reasonable sense. The Examiner will reference prior art using terminology familiar to one of ordinary skill in the art. Such an approach is broad in concept and can be either explicit or implicit in meaning.

### **Election/Restrictions**

Applicant has elected group I without traverse in the office action received 11/30/07

### **Response to Arguments**

Applicant's arguments filed in the amendment filed 9/7/07, have been fully considered but they are not persuasive. The reasons are set forth below.

### **Applicant's invention as claimed:**

### **Claim Rejections - 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

**Claims 98-99, 105 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,886,103 by Brustoloni et al.**

Regarding claim 98, a method for supporting establishment of a connection between a node of an inside address realm and a node of an outside address realm through an intermediate communication gateway having a limited number of available outside-realm gateway addresses for enabling outside-realm representation of inside-realm nodes (Brustoloni: col. 1, lines 25-51), said method comprising the steps of:

identifying, based on network address information of at least one of the inside- realm node and the outside-realm node an outside-realm gateway address that, in combination with the network address information, defines an outside-realm gateway state representation that has no counterpart in a predetermined set of existing gateway connection states (Brustoloni: col. 1, lines 25-60); and

initiating establishment of the connection based on the identified outside-realm gateway state representation (Brustoloni: col. 1, lines 59-60).

Regarding claim 99, the method according to claim 98, wherein the identifying step includes identifying the outside-realm gateway address based on a combination of the network address information and port information of at least one of the inside-realm node and the outside-realm node (Brustoloni: col. 1, lines 51-60).

Regarding claim 105, a communication gateway system for supporting establishment of a connection between a node of an inside address realm and a node of an outside address realm, said system having a limited number of available outside- realm gateway addresses for enabling outside-realm representation of inside-realm nodes (Brustoloni: col. 1, lines 25-51), said system comprising:

a gateway resource manager for identifying, based on network address information of at least one of the inside-realm node and the outside-realm node an outside-realm gateway address that, in combination with the network address information, defines an outside-realm gateway state representation that has no counterpart in a predetermined set of existing gateway connection states (Brustoloni: col. 1, lines 25-60); and a gateway for initiating establishment of the connection based on the identified outside- realm gateway state representation (Brustoloni: col. 1, lines 59-60).

### REMARKS

Applicant has cancelled the previous claims and rewritten claims. Applicant elected group I without traverse.

#### **The Applicant Argues:**

In the amendment filed 9/7/07 applicant argued the amendments overcome Brustoloni reference. Applicant argues the Brustoloni reference does not teach a connection establishment method that identified an outside-realm gateway address that provides a previously unused combination when combined with network address information of the inside-realm node or the outside-realm node.

**In response**, the examiner respectfully submits:

The rejection is maintained because the Brustoloni reference still anticipates the claim limitations.

Brustoloni teaches establishing a connection by using network address translation. An inside address realm node is a device operating on a private network (Brustoloni: col. 1, lines 24-31). An outside address realm node is a node operating outside a private network, on global network, or on a public network (Brustoloni: col. 1, lines 32-41). The connection is established when a packet or message is successfully transmitted between the two devices (Brustoloni: col. 2, lines 2-4). The argument about it not previously used before is a little misleading. Such limitation does not exist in the claim language, nor does it specifically state what applicant is intending. By using the outside realm node information and inside node information, the router can establish a link between the two devices. There is no counterpart in a predetermined set of existing gateway connection states because each NAT address is unique to allow addressing to the specific computer

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R Bruckart whose telephone number 571-272-3982. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications and after final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the examiner whose telephone number is 571-272-3982.

Benjamin R Bruckart  
Examiner  
Art Unit 2155

  
SALEH NAJJAR  
SUPERVISORY PATENT EXAMINER